

PORT AND SOLID WASTE DEPARTMENT

APPROVED

1.12.09

Brown County

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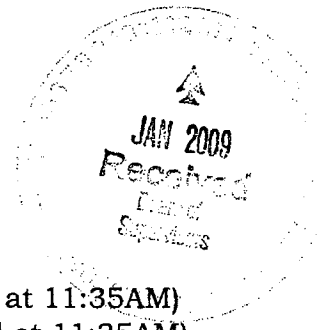
PORT AND SOLID WASTE DIRECTOR

PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on Monday, **November 10, 2008**, 11:30 A.M., at Holiday Inn – City Centre, Green Bay, WI. The meeting was officially called to order by President McKloskey at 11:30AM.

1) Roll Call:

Present: President Neil McKloskey
Vice-President Tom Van Drasek
Commissioner Bill Martens
Commissioner Hank Wallace
Commissioner John Hanitz
Commissioner John Gower
Commissioner Craig Dickman (arrived at 11:35AM)
Commissioner Ron Antonneau (arrived at 11:35AM)



Excused: Commissioner Bernie Erickson

Also Present: Dean Haen, Brown County Port & Solid Waste

2) Approval/Modification – Meeting Agenda

A motion to accept the meeting agenda, with the modification that Agenda Item #3 be shown at "October 13, 2008" meeting minutes, was made by John Gower and seconded by Tom Van Drasek. Unanimously approved.

3) Approval/Modification – October 13, 2008 Meeting Minutes

A motion to approve the October 13, 2008 meeting minutes was made by Bill Martens and seconded by John Hanitz. Unanimously approved.

4) Harbor Fee Modifications – Request for Approval

A meeting was held with the Terminal Operators recently to review the proposed Harbor Fee modifications. Manager Haen presented information received from the Terminal Operators regarding the Harbor Fee. Any Terminal Operator who was unable to attend the meeting was forwarded meeting handouts and requested their input. A second request for input was sent out the following week. Haen read some of the written responses received indicating the following:

Support:

Western Lime	}	
Great Lakes Calcium	}	3 largest users of the Port
Fox River Dock	}	
Wisconsin Public Service		
SemFuels		

Opposed:

Georgia Pacific – revisit the harbor fee early next year
St. Mary's Cement

No Response

C. Reiss Coal	Ace Marine
LaFarge N. America	Carver
Construction Resource Management	
Flint Hills Resources	
Leicht's	
Procter & Gamble	

Haen noted the specific changes made to the Harbor Fee as requested by the Harbor Commission:

- Wharfage schedule will be used with 100,000 mt categories
- 2001 Harbor Fee rates will be increased by cpi to current 2008 rate
- County Board has the ability to modify the Fee annually
- Special Projects fee was set at \$375 per vessel
- Remedial barge fee was set at \$0.015/mt
- Project cargo was set at \$1.50/mt

Commissioner Gower requested wording changes to the draft Harbor Fee; those being:

- First page, third Whereas paragraph to read:
“...processing the capability to transfer commodities or goods between a vessel and land or vice versa.”
- Second page, third Be It Further Resolved paragraph to read:
“...has the ability upon consultation with the Terminal Operators to modify the future rates ...”
- Second page, fourth Be It Further Resolved paragraph to read:
“...institute the original Harbor Fee Resolution of 1994's provisions and intentions to”

Based on support from the majority of the user community, **a motion to modify, as discussed, and to adopt the Harbor Fee, pending Brown County Corporation Counsel approval, was made by John Gower and seconded by Hank Wallace.** Unanimously approved.

Manager Haen indicated that Carver Boats, Ace Marine and Tetrattech (project leader for the Fox River Group) were notified of the proposed Harbor Fee modification by letter and informed about today's Harbor Commission meeting. Tetrattech had no objection to the proposed Harbor Fee. No response was received from Carver or Ace Marine, however. Haen met with the Tetrattech project coordinator to discuss the Fee and stated that all relevant Fox River Group parties would be notified.

Discussion then ensued on whether the Port should be held solely responsible for the County legal fees of the Fox River Cleanup.

5) USACE 217 Agreement Amendment Letter – Request for Approval

Manager Haen discussed an email and a draft letter received from the USACE regarding approval of a new fee schedule. Haen reminded the Commission that Brown County had hired Schenk & Associates to review the Agreement. Schenk provided a revised fee schedule which was accepted by the USACE. As a result of this review by Schenk, it was found that Brown County owes money to the USACE which will be repaid over 4 years.

Discussion ensued regarding the legalities of only having a letter for this amendment to the Agreement. Per the Commission's direction, when the final letter is received from the USACE, Haen will request Brown County Executive Tom Hinz sign the letter indicating he has "approved as to content" and return the letter to the USACE. **A motion to approve the USACE 217 Agreement by letter was made by Craig Dickman and seconded by Ron Antonneau. Unanimously approved.**

6) Port Web Camera – Update

Manager Haen reviewed the Homeland Security Grant received in 2007. The final item for this grant is the installation of a camera to provide a real-time view of the Port of Green Bay via the port's website. The camera is being installed on a telephone pole near the boat launch. Brown County has agreed to pay the City of Green Bay the charges incurred for power usage for the next ten (10) years. The webcam should be up and running soon and can be accessed via www.portofgreenbay.com. Haen will issue a press release to announce this addition to the website. Once this project is complete, Haen will file the appropriate paperwork on all the projects completed as a result of the grant and seek reimbursement.

7) U.S. St. Lawrence Seaway Ballast Water Inspection Policy – Video

Manager Haen presented a video on the new program being initiated for ballast water on the Great Lakes, referred to as "Swish & Spit." Haen also referred to additional information included in the agenda packet. Although the Wisconsin Department of Natural Resources (WDNR) under the direction of the Environmental Protection Agency (EPA) has assumed authority to manage ballast water, Haen stated this issue needs to be addressed with federal legislation.

8) Tonnage Report

Manager Haen stated that the tonnage for 2008 has remained close to that received in 2007. Coal is down by 25% which is the largest commodity for the Port of Green Bay. Foreign inbound cargo has significantly increased offsetting the loss of coal.

9) Director's Report

Manager Haen discussed:

- Intermodal Feasibility Study – As discussed previously, a grant for an intermodal feasibility study in the Port of Green Bay was applied for.

The money received will be enough for one year of a 2-year feasibility study and it is anticipated another grant will be applied for the second year. UWGB, along with the Port of Green Bay and other partners, have been continuing to work on this project. Haen is confident intermodal containers will be moved on the Great Lakes and is hopeful it will happen in Green Bay. Haen noted that Congress is beginning to seriously address short sea shipping in the Great Lakes.

- Manager Haen met previously with the Ports of Sturgeon Bay and Marinette to discuss the benefits of using the resources of the Port of Green Bay in exchange for payment. Haen indicated although some interest was shown, nothing further has come of these discussions. The Commission recommended Haen follow-up with the Ports of Sturgeon Bay and Marinette.

10) Audit of Bills – Request for Approval

The bills for October 2008 were reviewed. Manager Haen explained the expense shown for Parin's Plumbing was for repair of the toilets and sinks at the Bylsby property. **A motion to approve the bills as written was made by Bill Martens and seconded by Ron Antonneau.** Unanimously approved.

11) Such Other Matters as are Authorized by Law

- Manager Haen presented a copy of the photo and layout used in advertisements for the Port of Green Bay along with the new proposed version. The Commission approved of the new format.
- Manager Haen stated he did receive an invitation from the City of Green Bay for the ribbon-cutting ceremony at Ace Marine.
- President McKloskey noted that today is the birthday of the U.S. Marine Corp. The Commission acknowledged and applauded all those who serve and have served in the U.S. Armed Forces.

12) Adjourn

A motion to adjourn was made by Ron Antonneau and seconded by John Hanitz. Unanimously approved. Meeting adjourned at 1:45PM.

Neil McKloskey, President
Harbor Commission

Charles Larscheid, Director
Port & Solid Waste Department